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“Prerequisites for Progress in Northern Ireland”

*Commission on Security and Cooperation in Europe
Excerpts of Remarks by Chairman Chris Smith
Wednesday, March 21, 2012*

Good afternoon and welcome to our witnesses and everyone joining us today – I see many old and close friends in the room today – welcome to all.

One friend, however, is sadly missing. Representative Don Payne was on the dais with us last March at our hearing on “Northern Ireland: Why Justice in Individual Cases Matters”, and was likewise with for many of our earlier hearings on human rights in Northern Ireland. He passed away on March 6. Don was deeply committed to the human rights issues that continue to plague Northern Ireland, worked on these issues with passion, and on so many other human rights issues around the world. He was also a friend. I’ll miss him, as I’m sure will many other people in this room today.

Our purpose today is to assess the progress made in Northern Ireland to date, with a focus on what more can be done to ensure that peace is self-sustaining, that people can reconcile their difference to build a better future together, and that justice ultimately prevails. This takes a 100 percent commitment, not a sixty or even an eighty percent commitment to fulfill promises made. While there has been much progress, I believe that the unfulfilled British commitment – broken commitment, unless the British government reverses course – in the Finucane case is threatening the consolidation of the peace process.

In connection with the Good Friday peace agreement, the British government promised to conduct public inquiries into the Finucane and other cases where collusion is suspected. Subsequently the British government has backtracked in regard to the 1989 murder of human rights lawyer Patrick Finucane, despite the recommendation, which, again, the British government agreed to abide by, of the internationally respected jurist and former Canadian Supreme Court Justice Peter Cory in 2004.

The deliberate decision not to proceed with a public inquiry is glaring, public breach of faith. It is the source of enormous frustration to Patrick Finucane's family and friends. It resonates throughout Northern Ireland, calling into question the British government's commitment to peace and reconciliation.

This is particularly sad because the British government has taken so many other positive, truly honorable steps, many of which were painful for large sectors of British public and official opinion – such as the Bloody Sunday inquiry, released in 2010. To call all that into question by renegeing on the promised Finucane inquiry is a tragedy. The British government has admitted that it did collude in the Finucane murder – yet resolutely blocks any public inquiry into the collusion. The question asks itself – after so many positive steps, is the British government really going to diminish the good it's done since 1998 in order to protect the identity of people who share responsibility for a murder?

In closing, I'd like to thank the Irish government for his plans to promote the Northern Ireland peace process as a case study for addressing conflict situations and post-conflict reconciliation elsewhere in Europe. Last month the Irish Foreign Minister, in his capacity as Chair-in-Office of the OSCE, testified at a hearing of this commission about these plans. Despite some of the problems we are going to talk about today, there has been real progress on the ground in the north of Ireland, due also to the good will of the people on the ground.

We have an excellent panel of witness to updates us on developments and provide useful suggestions for further action.

First, we'll hear from Geraldine Finucane, the widow of Patrick Finucane. Geraldine was there, along with their three children, when assassins entered the Finucane home and took her husband's life. We are grateful for your presence here today, Geraldine, to tell us about your meeting with the British Prime Minister last October and your subsequent efforts to reverse his decision not to proceed with a public inquiry.

Next, we'll have Christopher Stanley. His extensive experience as a lawyer and currently with British-Irish Rights Watch, has made him an effective advocate, and an expert on penal policy reform and the Bill of Rights for Northern Ireland. We look forward to his insights and recommendations for encouraging progress.

Finally, we'll hear from Mark Thompson, who is the Director of Relatives for Justice and will describe for us the impact justice can have on healing the wounds of violence in Northern Ireland, and what happens when justice is not forthcoming and those wounds are left open and exposed.